IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6713 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SHANTILAL PITAMBAR THAKER

Versus

RAJKOT MUNICIPAL CORPORATION

Appearance:

None present for Petitioner

MR AD MITHANI for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 25/02/2000

ORAL JUDGEMENT

1. It is the grievance of the petitioner that the respondent No.2 has recommended for giving him the selection grade but the respondent No.1 for the reasons best known to it has not given effect to the same.

2. This petition has been filed in the year 1989 and though more than 11 years have passed, the respondents even have not cared to file reply to the same. On 21st October, 1999, this court has given direction to the Municipal Commissioner, Rajkot Municipal Corporation, Rajkot to remain personally present in the court along with the relevant record. Even thereafter, the respondents have not cared to file reply to the special civil application.

3. In these facts, the interest of justice will be served in case this writ petition is disposed of in terms that the Municipal Commissioner, Rajkot Municipal Corporation, Rajkot is directed to consider this special civil application as representation of the petitioner in the matter and decide the same within a period of one month from the date of receipt of writ of this order or certified copy thereof, whichever is earlier. In case the claim of the petitioner is not acceptable, a reasoned order be passed and copy of the same be sent to the petitioner by registered post A.D.. Where the claim of the petitioner is acceptable then he shall be entitled for all consequential benefits flowing therefrom. In that case also compliance of this order be reported to this court. Liberty is granted to the petitioner for revival of this special civil application in case of difficulty. Rule and special civil application stand disposed of accordingly with no order as to costs.

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